



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

May 10, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

59 May 10, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

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Third District

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Fifth District

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
EAST RANCHO DOMINGUEZ LIBRARY PROJECT  
REJECT ALL BIDS  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
SPECS. 7018R1; CAPITAL PROJECT NO. 77600  
(SECOND DISTRICT) (3 VOTES)**

### SUBJECT

The recommended actions will reject all construction bids received on March 8, 2011, adopt revised plans and specifications, allow readvertising for construction bids, and delegate authority to the Director of Public Works to award and execute a construction contract for the East Rancho Dominguez Library Project.

### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Reject all bids received by the Department of Public Works on March 8, 2011, for construction of the East Rancho Dominguez Library Project.
2. Adopt the revised plans and specifications (Specification 7018R1) which are on file in the Architectural Engineering Division of the Department of Public Works for construction of the East Rancho Dominguez Library Project at an estimated construction cost of \$3,762,000, and instruct the Executive Officer of the Board of Supervisors to advertise the Project for construction bids to be received and opened on June 7, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only**

3. Authorize the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$5,000 not-to-exceed fee funded by existing Project funds.
4. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by your Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will reject all bids received on March 8, 2011, adopt revised plans and specifications, allow readvertising for construction bids, and authorize the Director of Public Works to award and execute a construction contract for the East Rancho Dominguez Library Project (Project). The adopt, advertise, and award process is being recommended in order to expedite the delivery of the Project.

#### **Background**

On February 8, 2011, your Board adopted plans and specifications including library and on-site improvements, furniture, fixtures, and equipment, and off-site road improvements, and authorized advertising for bids. Also, in an effort to obtain bids from qualified contractors, the bid documents required prospective bidders to possess previous public library construction experience or public works building construction experience.

On March 8, 2011, a total of eight bids were received, all of which exceeded the estimated construction cost by \$254,000 to \$1,268,000 (Attachment C). Based on the bid results, the Department of Public Works (Public Works) had the bid documents revised to incorporate certain value engineering items. Also, Public Works revised the experience requirements for the general contractor, as outlined in Attachment B, in an effort to attract additional qualified bidders and obtain more competitive bids. Therefore,

we recommend adopting the revised bid documents and readvertising the Project for bids.

### **Revised Project Description**

The new 7,200-square-foot library facility with associated parking and site improvements will be constructed on the 0.48 acres of acquired property located at 4420 East Rose Street in the unincorporated area of East Compton. The proposed facility will replace the existing undersized library which is presently located in leased space. The proposed library will include adult reading areas, a teen area, a children's area with a homework center, a group study/tutoring room, 58-seat community meeting room, staff areas, public restrooms, express-service checkout machines at the customer service desk, public access computers, public access Wi-Fi, and a collection of 35,000 books and other library materials transferred from the existing library facility. Additionally, the proposed Project will be equipped with solar panels to offset approximately 30 percent of the estimated annual energy consumption for the library facility and will entitle the County to receive an estimated one-time \$32,000 rebate from Southern California Edison through the California Solar Initiative Program.

Further, in an effort to assist in Project coordination, the Project will include two additive alternatives. The first additive alternate is reconstruction of the alley located behind the library, and curb, gutter, sidewalk, and landscaping improvements on East Rose Street and South Atlantic Avenue along the frontage of the library site to meet current County road standards. The second additive alternate is furniture, fixtures, and equipment (tables, chairs, built-in casework, book shelving, modular work stations, and book self check-out units). The remaining furniture, fixtures, and equipment (computers, printers, fax machines, and copier machines), and interior signage will be procured by Public Library with purchase orders through the Internal Services Department (ISD).

If the bid amounts for the furniture, fixtures, equipment, and off-site road improvements from the apparent Lowest Responsive and Responsible Bidder are reasonable, the additive alternates will be included in the construction contract award. If not, the furniture, fixtures, and equipment will be procured by Public Library with purchase orders through ISD, and the off-site road improvements will be completed by Public Works using a job order contract.

Following acquisition of the new site in 2009, Public Works demolished the existing buildings and remediated the site using a job order contract to reduce the potential for unforeseen site conditions issues and to make the site ready for construction of the new library.

In order to expedite construction of the Project, it is recommended that your Board authorize the Director of Public Works to award and execute a construction contract to the Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter) if the low bid can be awarded within the total Project budget approved by your Board. If the low bid cannot be accommodated within the approved total Project budget, a contract will not be awarded, and we will return to your Board with a revised Project scope of work and/or other funding recommendations.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable schedule, the Director of Public Works may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next Lowest Responsive and Responsible Bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that construction of the Project will begin in August 2011 and be completed in July 2012.

### **Green Building/Sustainable Design Program**

Although the new library will be less than the 10,000 square feet size threshold for the County's Energy and Environmental Policy, the Project is designed to achieve the United States Green Building Council Leadership in Energy and Environmental Design Silver level certification by incorporating sustainable design features to optimize energy and water use efficiency, enhance the sustainability of the site, improve indoor environmental quality, and maximize the use and reuse of sustainable and local resources. As described above, the Project includes solar panels that are estimated to reduce the building's annual power consumption by approximately 30 percent.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1); Children, Family, and Adult Well-Being (Goal 2); and Community and Municipal Services (Goal 3), by investing in public infrastructure that will enhance cultural, recreational, and lifelong learning opportunities for County residents.

### **FISCAL IMPACT/FINANCING**

Public Works' fair construction cost estimate for the Project is \$3,762,000, including \$3,307,000 for the library and on-site improvements, \$363,000 for the furniture, fixtures, and equipment, and \$92,000 for the off-site road improvements. The total project cost, including land acquisition, programming, plans and specifications, plan check, construction, signage, furniture and equipment, civic art, telecommunications, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$7,687,000, which is consistent with the amount previously approved by your Board on February 8, 2011. Sufficient appropriation is available in the Fiscal Year (FY) 2010-11 Capital Project/Refurbishment Budget for the proposed Project (Capital Project No. 77600) to fully fund the Project. The Project Schedule and Budget Summary are detailed in Attachment A.

The proposed Project (Capital Project No. 77600) is funded by \$1,571,000 of Second District Funds for Enhanced Unincorporated Area Services (Proposition 62), \$5,759,000 of Second District Various Improvements net County cost, \$200,000 in Second Supervisorial District Road Construction Program funds, \$82,000 of Developer Fees, and \$75,000 of Measure U Funds from the Public Library Operating Budget.

### **Operating Budget Impact**

The Public Library's FY 2010-11 operating budget for the existing East Rancho Dominguez Library is \$950,000, which includes two vacant Librarian I positions that will be filled before the opening of the new library. The library has benefited from enhanced staffing through use of Enhanced Unincorporated Area Services (Proposition 62) funding which will help offset the need for new staffing. It is anticipated that the new library will begin operation in September 2012 and funding for the annual operating costs will be required at that time. The annual operating budget for the new East Rancho Dominguez Library is estimated at \$1,010,000 based on the current costs for staffing, support, facility maintenance, and other operating costs that will be required. This represents a net increase of approximately \$60,000 that can be funded with ongoing Proposition 62 funds that are currently allocated within the Public Library's operating budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to your Board's Civic Art Policy adopted on December 7, 2004, as amended, the Project budget includes one percent of design and construction costs to be allocated to the Civic Art Fund.

On February 8, 2011, your Board approved the implementation of a Local Worker Hiring Program (LWHP) for the Project. The LWHP will require the contractor to assure that a minimum of 30 percent of the labor hours performed by California residents be worked by qualified local residents residing in either zip codes within a 5-mile radius of the Project site, or within zip codes within the County of Los Angeles where the unemployment rate is 150 percent of the County average. However, because of the relatively small nature of this Project, a disadvantaged worker requirement was not included as an additional component of the LWHP for this Project.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness, to satisfactorily perform the work required under the bid solicitation. As specified in the bid documents, the lowest bid price shall be determined by adding the lump sum base bid, the two additive alternates, the extended overhead daily rate multiplied by 60 calendar days, and the Local Small Business Enterprise preference (5 percent of the lowest bid price up to a maximum of \$50,000) if applicable.

A standard contract, in a form previously approved by County Counsel, will be used. The construction contract will contain terms and conditions supporting your Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW); Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractor's State License Board, labor law/payroll violation, and debarment actions. As provided for in

Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The Project specifications contain provisions requiring the contractor to report solicitations of improper consideration of County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

The plans and specifications include the contractual provisions and material requirements necessary for this Project and are on file in the Architectural Engineering Division of Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

On June 16, 2009, your Board adopted a Mitigated Negative Declaration for the Project in accordance with the California Environmental Quality Act.

### **CONTRACTING PROCESS**

On March 9, 2010, your Board authorized the Director of Public Works to execute an agreement with Carde Ten Architects to provide architectural/engineering design, consultant, and construction administration services for the Project for a \$468,800 not-to-exceed fee.

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment B).

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website.

Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBE.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have no impact on current County services or projects. The existing East Rancho Dominguez Library will remain open until the new proposed library facility is completed.

The Honorable Board of Supervisors  
May 10, 2011  
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**CONCLUSION**

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; Public Library; and Public Works, Project Management Division I.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a stylized flourish at the end.

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RLR  
DJT:AC:cvb

Attachments

c: Executive Office, Board of Supervisors  
County Counsel  
Affirmative Action Compliance  
Arts Commission  
Public Library  
Public Works



May 10, 2011

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
EAST RANCHO DOMINGUEZ LIBRARY PROJECT  
REJECT ALL BIDS  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
SPECS. 7018R1; CAPITAL PROJECT NO. 77600**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>	<b>Revised Completion Date</b>
Finalize Programming Documents	11/13/09*	
Award Design Contract	03/02/10*	
Execute Design Contract	03/11/10*	
Construction Documents	10/21/10*	04/21/11
Jurisdictional Approvals	01/20/11*	N/A
Construction Start	05/23/11	08/01/11
Substantial Completion	04/30/12	07/06/12
Library Opening	06/29/12	09/03/12
Final Acceptance	07/30/12	10/04/12

\* Actual completion date.

## II. PROJECT BUDGET SUMMARY

Budget Category	Board-Approved Project Budget
Land Acquisition	\$ 926,500
Construction	
Low Bid Construction Contract*	\$ 3,307,000
Job Order Contract (demolition & site remediation)	105,325
Change Orders	301,000
Youth Employment	0
Construction Consultants	0
Telecommunication Equip-Affixed to Building	300,000
Civic Art	40,000
Other: Utility connections	89,675
Other: Off-site improvements	92,000
Other: Contingency (off-site improvements)	78,000
Subtotal	\$ 4,313,000
Programming/Development	\$ 40,000
Plans and Specifications	\$ 468,800
Plan Check and Jurisdictional Review	\$ 60,000
Consultant Services	
Site Planning (Phase I Site Assessment)	\$ 26,000
Hazardous Materials (Survey and Monitoring)	51,200
Geotechnical/Soils and Soils Testing	75,000
Materials Testing and Deputy Inspection	75,000
Cost Estimating	14,000
Topographic Surveys	25,000
Construction Management	0
Construction Administration	0
Environmental	60,000
Legal	0
Other: Building Commissioning	40,000
Subtotal	\$ 366,200
Furniture, Fixtures, and Equipment	\$ 560,000
Miscellaneous Expenditures	\$ 51,750
County Services	
Code Compliance and Quality Control Inspection	\$ 214,000
Design Review	10,897
Design Services	0
Contract Administration	69,808
Project Management	374,761
Project Management Support Services	30,000
DPW Job Order Contract Management (Gordian)	10,000
ISD ITS Communications	100,000
Project Technical Support	42,425
Consultant Contract Recovery	37,459
Office of Affirmative Action	11,400
County Counsel	0
Subtotal	\$ 900,750
<b>Total Project Budget</b>	<b>\$ 7,687,000</b>

\* Includes library and on-site improvements only. Furniture, fixtures, equipment, and off-site road improvements budgeted under separate categories in capital project budget.

May 10, 2011

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
EAST RANCHO DOMINGUEZ LIBRARY PROJECT  
REJECT ALL BIDS  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
SPECS. 7018R1; CAPITAL PROJECT NO. 77600**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper or 10 times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE  
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

<b><u>SD</u></b>	<b><u>SPECS</u></b>	<b><u>PROJECT</u></b>	<b><u>BID DOC FEE</u></b>	<b><u>DATE OF BID OPENING</u></b>
2	7018R1	East Rancho Dominguez Library 4420 East Rose Street Compton, CA 90221	\$75	June 7, 2011

Copies of the Project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803, for the fee stated above. For bid information, please contact Ms. Jenny Carney of Architectural Engineering Division at (626) 458-2549. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by the Department of Public Works at 11 a.m. on this date in the Main Conference Room, 5th Floor, at 900 South Fremont Avenue, Alhambra, California 91803.

The general contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Department of Public Works, which shall be made available to any interested party upon request.

The bidding documents require the general contractor to possess a valid and current B license classification at the time of bid. Also, this project includes a mandatory Local Worker Hiring Program that requires the general contractor to assure that a minimum of 30 percent of the labor hours performed by California residents be worked by qualified local residents residing in either zip codes within a 5-mile radius of the project site, or within zip codes within the County of Los Angeles where the unemployment rate is 150 percent of the County average (refer to bidding documents for specific requirements).

In addition to the above, the general contractor must satisfy at least one of the following two requirements:

OPTION 1

The general contractor shall have completed as a prime contractor, a minimum of one Public Library (as defined by Section 18810 (p) of the California Education Code) project in California within the last 10 years where the value of work was in excess of \$2 million. School, Academic, or Special Libraries, as also defined in Section 18810, will not be considered as Public Libraries under this option; OR

OPTION 2

The general contractor shall have completed as a prime contractor, within the last 5 years, at least one new building project for a public entity at a construction value of at least \$2 million and a total square footage of at least 7,000 square feet, which included at least three of the following construction elements: low voltage systems, interior acoustical treatment, custom millwork, solar photo voltaic panels, public road work, and achieved Leadership in Energy and Environmental Design Certified certification or greater. To be considered under criterion concerning achievement of Leadership in Energy and Environmental Design Certified certification, a copy of the Leadership in Energy and Environmental Design certification, issued by the US Green Building Council, must have been issued prior to the bid date. The general contractor shall submit verification of such qualifying experience on the County provided form at the time of bid submittal.

For both options, the County will determine, in its sole discretion, whether or not the information provided meets the requirements for experience in order for the general contractor to be considered a responsive and qualified bidder on this East Rancho Dominguez Library Project.

### **OTHER INSTRUCTIONS**

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department of Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at the Department of Public Works' main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY or for more Americans with Disabilities Act (ADA) information, please contact the Department of Public Works' ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de notificación, el Departamento de Obras Públicas puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para personas con incapacidades. Además, documentación sobre el programa está disponible en la oficina principal del Departamento de Obras Públicas localizada en Alhambra (900 South Fremont Avenue), la cual es accesible para personas con incapacidades. Solamente si necesita solicitar adaptaciones o para mas información del ADA, póngase en contacto con nuestro Coordinador del ADA al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,  
dated May 10, 2011.

Specs. 7018R1 SACHI A. HAMAI, EXECUTIVE OFFICER  
OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES

May 10, 2011

**ATTACHMENT C**

**DEPARTMENT OF PUBLIC WORKS:  
EAST RANCHO DOMINGUEZ LIBRARY PROJECT  
REJECT ALL BIDS  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
SPECS. 7018R1; CAPITAL PROJECT NO. 77600**

**BID RESULTS**

**Bid Opening Date:** March 8, 2011

**Bid Summary:**

<b>Bidder</b>	<b>Lump Sum Bid</b>	<b>Daily Extended Overhead Rate</b>	<b>Lowest Bid Price <sup>(1)</sup></b>
MCEC, Inc.	\$3,976,000	\$1,000	\$4,036,000
NSA Construction Group, Inc.*	\$4,190,000	\$1,500	\$4,230,000
AWI Builders, Inc.*	\$4,391,911	\$ 0	\$4,341,911
FEI Enterprises, Inc.*	\$4,350,000	\$1,000	\$4,360,000
USS CAL Builders, Inc.	\$4,585,000	\$1,200	\$4,657,000
Angeles Contractors, Inc.	\$4,770,000	\$ 500	\$4,800,000
Morillo Construction, Inc.	\$4,709,000	\$1,525	\$4,800,500
2H Construction, Inc.	\$4,990,000	\$ 800	\$5,038,000

\* Certified Local Small Business Enterprise

(1) As specified in the bid documents, the lowest bid price determined by adding the lump sum bid, the extended overhead daily rate multiplied by 60 calendar days, and the Local Small Business Enterprise preference (5 percent of the lowest bid price up to a maximum of \$50,000) if applicable.

**Financial Information:**

Public Works' fair construction cost estimate was \$3,722,000.